

SUPPORT FOR THE AMENDMENTS

Claim 57 has been canceled.

Claims 1-21, 42-56, 58-61, 64, 66, 67, and 69 have been amended.

Claims 70-74 have been added.

All amendments to the claims are made relative to the Amended Sheets filed in the PCT application, which form the original claim set of the present application. All claim designators, accordingly, are relative to this original claim set.

Support for all amendments to the claims and the introduction of new Clamis 70-74 is provided by original Claims 1-66 and the specification throughout. Specific mention is made of page 159, lines 1-5 in which 1-[(7,7-dimethyl-2oxobicyclo[2.2.1]hept-1-yl)methyl]sulfonyl]-4-(2-oxo-2H-3,1-benzoxazin-1 (4H)-yl)-piperidine (Example 10 of Bock et al) is specifically excluded. Claim 74 is a reintroduction of Claim 57 without the table.

No new matter has been added by the present amendment.

REMARKS

Claims 1-56 and 57-74 are pending in the present application.

Applicants wish to thank Examiner McDowell for the helpful and courteous discussion with their undersigned Representative on December 23, 2009. During this discussion, a possible amendment to Claim 70 to obviate the rejection over Bock et al was discussed. Applicants have not made this amendment at this time as they believe that the amendments and remarks set forth herein overcome the rejection over Bock et al. Also during this discussion, Applicants Representative indicated that with the amendments to the claims to correct punctuation the groups that serve as W and those that are possible constituents for the recited groups are clear. As such, the indication in the Advisory Action with respect to the indefiniteness rejection is believed to be moot. Entry and favorable consideration of this response is requested.

The objection to Claims 14, 57, and 67 is obviated by amendment. Applicants have amended the claims to address the Examiner's criticisms. Withdrawal of this ground of objection is requested.

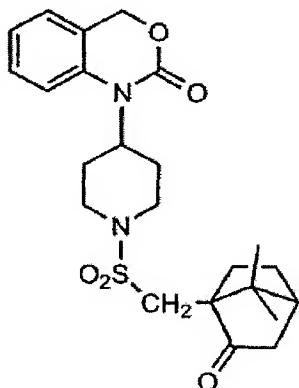
The rejection of Claims 5, 46, 56, and 69 under 35 U.S.C. 112, second paragraph, is obviated by amendment.

Applicants have made appropriate amendments to the claims to clarify the meaning and scope of the claimed invention, in general and with respect to variable W.

Withdrawal of this ground of rejection is requested.

The rejections of Claims 1-4, 6-13, 18, 19, 42-45, 47-55, and 61-63 under 35 U.S.C. §102(b) over Bock et al are respectfully traversed.

In making this rejection, the Examiner cites the compound of Example 10 disclosed by Bock et al at column 30. This compound is as follows:



Example 10 of Bock et al

Applicants respectfully submit that the compound of Example 10 of Bock et al does not fall within the scope of the claimed invention. Specifically the claims have been amended to include a negative proviso based on the disclosure at page 159, lines 1-5 in which 1-[(7,7-dimethyl-2-oxobicyclo[2.2.1]hept-1-yl)methylsulfonyl]-4-(2-oxo-2H-3,1-benzoxazin-1 (4H)-yl)-piperidine (Example 10 of Bock et al) to specifically exclude the compound disclosed by Bock et al from the scope of the presently claimed invention. Thus, Bock et al fails to anticipate the claimed invention.

Withdrawal of these grounds of rejection is requested.

With respect to the withdrawn method claims, the Examiner is reminded that if, as in this case, Applicant elects claims directed to the product, and a product claim is subsequently found allowable, withdrawn process claims which depend from or otherwise include all the limitations of the allowable product claim should be rejoined (see MPEP §821.04). Applicants note that should the examined product claims be found allowable, withdrawn process claims should be rejoined. An action to this effect is requested.

Applicants submit that the present application is ready for allowance. Early notice to this effect is requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon



Vincent K. Shier, Ph.D.  
Registration No. 50,552

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413-2220  
(OSMMN 08/03)